

REMARKS

This paper is responsive to the Office Action dated October 20, 2004. Claims 1, 5, 9, 11, and 20 have been amended as indicated above. New Claim 21 has been added. Claims 1-21 are pending in the application.

In response to the claim objections in the Office Action, Claims 9 and 20 have been amended to state that the intermediate bend provides or forms a space that accommodates a vent in the cap. This further defines the subject matter of the claims from which Claims 9 and 20 depend. Applicants respectfully submit that Claim 10 is already in proper dependent form. Claim 10 recites a further limitation in which the hanger is configured to remain in the cap when the cap is attached to the container. This definition of the hanger is not required in Claim 1. The Examiner is respectfully requested to consider Claims 9, 10 and 20 on their merits.

As to the claim rejections under 35 U.S.C. § 112, Claims 1 and 11 have been amended as suggested by the Examiner to recite instances of "the cap" and "the container" when such terminology is intended to refer to an originally cited term in the claims. Applicant respectfully requests withdrawal of the 35 U.S.C. § 112 rejection of Claims 1-8 and 11-19.

Turning now to the claim rejections under 35 U.S.C. § 102, applicants have carefully studied the cited references to Luebbers et al. and Goldstein et al., and respectfully submits that the claims presented above are patentable over Luebbers and Goldstein. Claim 1, as set forth above, recites "a coil sized to fit within the cap of the container, wherein the coil is configured to be compressed such that the circumference of the coil is reduced when the coil is installed inside the cap." Support is found in the specification of the present application at page 4, lines 12-17.

The Luebbers and Goldstein patents reveal no such structure and in fact teach away from such structure. According to Luebbers, commercially available production machines are used to tightly coil wire drawn from wire stock into adjacent turns to form the handle 8. The tightly

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coiled handle 8 is stiff in nature such that it can be grasped as a handle for the fish hook remover 5. See Col. 1, lines 53-63 of Luebbers.

Luebbers further discloses a handle grip 10 that may be used with the handle 8. Because of the structure of the tightly coiled handle 8, it is the handle grip 10 that is telescopically applied to the handle 8. The handle grip 10 is sized such that it can enlarge slightly to accommodate a tight fit on the handle 8, and not vice-versa. See Col. 1, lines 33-44 of Luebbers. Nowhere does Luebbers suggest, nor should it be considered inherent, that the tightly wound coil forming the handle 8 "is configured to be compressed such that the circumference of the coil is reduced when the coil is installed inside the cap," as claimed in Claim 1. Unlike the coil described and claimed in the present application, the tightly wound nature of the spring handle 8 described by Luebbers is essential to its use as a handle to regulate the pressure applied to the fishhook engaging hook 7. See, *e.g.*, Col. 2, lines 13-18 of Luebbers.

As to Goldstein, the wire coil forming the disclosed self-locking adapter is formed of wire stock that threads onto the exterior surface of a cylindrical pole. Again, as with Luebbers, the coil disclosed by Goldstein is not "configured to be compressed such that the circumference of the coil is reduced when the coil is installed inside the cap." First, the coil in Goldstein is not configured to be installed inside a cap, but rather is provided for threading on the *outside* surface of a pole. Second, the coil in Goldstein would not be configured to be compressed such that the circumference of the coil is reduced because reducing the circumference of the coil would prevent the coil from being used for its intended purpose function (threading on the outside surface of a pole).

Claim 1 thus defines a structure that is patentable over Luebbers and Goldstein and should be allowed.

Claims 2-10 are also in patentable condition for their dependence on allowable Claim 1 and for the additional subject matter recited therein. For example, Claim 5 above recites the coil as being specifically comprised of "one to three loops" which is not shown or suggested by Luebbers or Goldstein, nor does Luebbers and Goldstein disclose a coil comprised of a partial loop, a coil that is configured to be retained within a cap by spring tension against the cap, and a body having an intermediate bend providing a space that accommodates a feature of a cap such as a vent in the cap. These and other elements of the dependent Claims 2-10 are also patentable over Luebbers and Goldstein.

Claim 11 recites an apparatus for securing a cap of a container to an external structure wherein the apparatus includes "retaining structure configured to be compressed with a reduced circumference to fit inside the cap and engage the interior of the cap when the retaining structure is installed inside the cap." For reasons similar to that discussed above with respect to Claim 1, applicants respectfully submit that neither Luebbers nor Goldstein anticipate the invention claimed in Claim 11 and thus Claim 11 should be allowed. Claims 12-20 are also in patentable condition for their dependence on allowable Claim 11 and the additional subject matter recited therein. Applicants thank the Examiner for the indication that Claims 14 and 15 already include patentable subject matter.

Applicants have added new Claim 21 which recites a combination cap and hanger apparatus that is not anticipated nor rendered obvious by Luebbers and Goldstein. Claim 21 should also be allowed.

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CONCLUSION

In view of the foregoing, the claims in the present application are all patentably distinguished over the teachings of Luebbbers and Goldstein, taken alone or in combination. Applicants submit that all objections and rejections have been overcome. Accordingly, applicants request reconsideration and allowance of the claims, and passing of the application to issue at an early date. Should the Examiner have any remaining questions concerning this application, the Examiner is invited to contact applicants' undersigned attorney at the telephone number indicated below.

Respectfully submitted,

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Date: February 22, 2005 Aynw Zeet

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